

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

VICTOR P. CAPALDI
Plaintiff

v.

F/V GEORGIE J, her engines, boilers, equipment,
machinery, tackle, furnishings, apparel, appurtenances,
etc., including, but not limited to, its commercial fishing
licenses, permits, limited entry rights, quotas, moratorium
permits/licenses, and all other fishing rights, history,
privileges, or entitlements arising from, issued to,
attaching to, or appurtenant to said vessel, *in rem*
Defendant

Civil Action
No.

04 - 10843 JLT

ORDER FOR ARREST OF VESSEL F/V GEORGIE J

The Court has reviewed Plaintiff's Verified Complaint in Admiralty, Plaintiff's Ex Parte Motion for In Rem Arrest of Vessel F/V GEORGIE J In Admiralty, supporting Memorandum and Plaintiff's Ex Parte Motion for Appointment of Substitute Custodian in Admiralty and supporting Memorandum in the above-captioned matter. Upon consideration thereof, this Court has determined that the conditions for an *in rem* arrest of the Defendant vessel pursuant to Rule C of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist. Accordingly, it is hereby:

ORDERED, that the Clerk shall issue forthwith an *in rem* Warrant of Arrest for the Defendant vessel F/V GEORGIE J, (O.N. 502064), and to all its components, together with all engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc.,

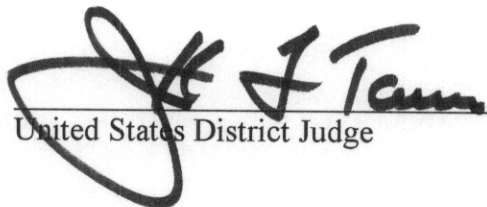
including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, (hereinafter referred to as "Vessel") directing the United States Marshall to proceed with all deliberate speed and arrest said Vessel which is located afloat in the Port of New Bedford, Massachusetts, or any other location within the District of Massachusetts: it is further

ORDERED, that any person claiming an interest in said Vessel pursuant to this Order for *In Rem* Arrest shall upon application to this Court and notice to Plaintiff or their attorney be entitled to a prompt hearing at which Plaintiff shall be required to show cause why the arrest should not be vacated or other relief granted: it is further

ORDERED, that the United States Marshall shall attach and serve a copy of this Order for *In Rem* Arrest with the *In Rem* Warrant of Arrest upon Defendant Vessel; and it is further

ORDERED, the Plaintiff's counsel shall serve a copy this Order for *In Rem* Arrest, together with the Summons, Verified Complaint and *In Rem* Warrant of Arrest upon the owner of the Vessel.

Dated at Boston, Massachusetts on this 28 day of April, 2004.


United States District Judge

Presented by:
Carolyn M. Latti (BBO #567394)
David F. Anderson (BB) #560994)
LATTI & ANDERSON LLP
30-31 Union Wharf
Boston, MA 02109
(617) 523-1000